

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

STATE AUTOMOBILE MUTUAL
INSURANCE COMPANY,

Plaintiff,

v.

JOHN L. WILSON, individually, and as
Trustee of John L. Wilson Trust,
KAYE E. VOYLES,
YOUR COMMUNITY BANK f/k/a
SCOTT COUNTY STATE BANK,
GEORGE SEVERN, and
STEPHANIE SEVERN,

Defendants.

No. 1:16-cv-01455-TWP-TAB

ENTRY ON JURISDICTION

It has come to the Court's attention that the Plaintiff's Complaint fails to allege all of the facts necessary to determine whether this Court has subject matter jurisdiction over this case. The Complaint alleges that this Court has jurisdiction based upon diversity of citizenship. However, the Complaint fails to sufficiently allege the citizenship of the Defendants. Citizenship is the operative consideration for jurisdictional purposes. *See Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002) ("residence and citizenship are not synonyms and it is the latter that matters for purposes of the diversity jurisdiction"). Furthermore, as an additional requirement for federal diversity jurisdiction, "the matter in controversy [must] exceed[] the sum or value of \$75,000, exclusive of interest and costs." 28 U.S.C. § 1332.

The Plaintiff initiated this declaratory judgment lawsuit by filing its Complaint, which alleges that "Defendant, JOHN L. WILSON, is a resident of Scottsburg, Indiana." ([Filing No. 1 at 2.](#)) This allegation of residency is insufficient to allow the Court to determine whether diversity

jurisdiction exists. The Plaintiff similarly alleged the other individual Defendants' residency, not citizenship. The Plaintiff also alleged that "Defendants, upon information and belief, seek at least \$75,000.00 under the Policy." ([Filing No. 1 at 3.](#)) This allegation is insufficient to satisfy the amount in controversy requirement.

Therefore, the Plaintiff is **ORDERED** to file a Supplemental Jurisdictional Statement that establishes the Court's jurisdiction over this case. This Supplemental Jurisdictional Statement is due **fourteen (14) days** from the date of this Entry.

SO ORDERED.

Date: 6/28/2016



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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